PATTERNS OF POWER · CASE STUDY · UNITED STATES

Nine Without an Army

The American Settlement Read Through the Framework — Why an Interpreter the Apex Appoints Has Nonetheless Constrained Him, Why a Court With Battalions Would Cease to Be One, and Where the Cheapest Attack on the Anchor Actually Lies

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with Claude (Anthropic) · 2026

held as tested, not revealed

Preface: what this study is

The collaboration, the case, and two disclaimers.

This study belongs to the Patterns of Power project and is a collaboration. The questions, the direction, the case selection and the final judgement are the author's; the historical synthesis, the drafting and the scholarly retrieval were done with Claude, Anthropic's model, with every load-bearing claim checked against a source before anything was built on it.

The project asks how a distribution of holdings taken by force becomes an arrangement that armed men will defend rather than contest. It has asked that of Ethiopian emperors, Turkish sultans, Maya divine lords, Hawaiian chiefs, Ottoman sultans, colonial administrators, Iranian jurists and a Ba'athist intelligence colonel. This study asks it of the United States.

The case is chosen because it is **the framework's hardest test.** Its interpreter class sits in the position the framework says produces no restraint: justices appointed by the apex, confirmed by the legislature, with the size of the bench and much of its jurisdiction set by ordinary statute. By the framework's own scoring the American order should show heroic individual refusals and no institutional capacity to compel. It has instead produced an interpreter that has voided the acts of presidents and legislatures for two centuries and been obeyed, with no soldiers of its own.

Either the framework is wrong, or something else is doing the work. This study argues the second, identifies what, and — because that something is the piece of the framework I have been least confident in — treats the case as a test rather than an illustration.

Two disclaimers, stated at the front because they govern everything.

This is not a commentary on any current administration or party. The framework is structural, its claims are about positions rather than persons, and every mechanism examined here has been operated by both American parties at different times. The record of altering the Supreme Court's size for political advantage runs through Federalists, Jeffersonians, Jacksonian Democrats and Reconstruction Republicans, and its most famous attempt was made by a Democratic president at the height of his popularity. Where the study says a move is available and cheap, it is describing the structure, not predicting who will reach for it.

And this is not a claim that the American order is admirable because it is durable. This project has repeatedly found that the same machinery which lifts a society above warlordism is the machinery that, captured, commits atrocity at scale. The American case includes chattel slavery authorised by the anchor, a court expansion in 1837 whose new seats were drawn to guarantee a pro-slavery majority, and the decision that majority produced. Part XIII is not an appendix.

The study stands alone. No prior reading is assumed — not of this project, not of American constitutional law, not of any scholar or case named. Every term is built from scratch.

The question

Two thought experiments, and the people who would move first.

Run two hypotheticals against the American arrangement. Neither is a prediction; both are diagnostics, and the framework gives sharp and non-obvious answers to each.

The first: suppose the Supreme Court raised its own armed force. Suppose the Chief Justice, tired of decisions ignored, commanded battalions capable of enforcing them.

The intuitive reading is that the Court would become far stronger. **The framework says it would cease to exist as a court within a generation**, and that the reason is not political but structural.

The second: suppose the President announced that he would determine the Constitution's meaning himself, treating judicial interpretation as advisory.

The intuitive reading is that this concentrates power. The framework says something more specific and worse: it **collapses the interpreter into the claimant**, producing the configuration this project calls *fused* — and fused orders have a characteristic failure that has nothing to do with tyranny and everything to do with succession.

And in both cases the framework says the same people move first, for reasons that are arithmetic rather than ideological. Not the citizenry, and not initially the press. **The holders of title** — every person or firm whose deed, patent, charter, bond, contract or share derives its future tense from one source. Their exposure is direct in a way nobody else's is, and their response would be characteristic and quiet.

Working out why requires the framework, and the framework requires the case history. Both follow.

The framework, compressed

Possession, ownership, the anchor, the interpreter, the floor.

Everything below rests on a distinction ordinary speech collapses.

Possession is what force holds now. It is present-tense and expires when the capacity sustaining it expires — at illness, at absence, and completely at death.

Ownership is a claim about the future and about other people: that this will be mine tomorrow while I sleep, and that when I die you will treat my son as its holder. Ownership is not a relation between a person and a thing. **It is a structure of expectations about how other people will behave toward a thing across time.**

Force is sovereign over the first and impotent over the second, so **the part of a holding force cannot reach must be manufactured out of something that is not force.**

The coordination failure. Everyone in a world of armed men would prefer a settlement, and that explains nothing, because the question is why one holds at the moment when breaking it would pay. The decisive calculation is the **bystanders'**: each asks whether a seizure is his quarrel, and absent a common ground of title the answer is no — intervening buys casualties and an enemy, and intervening alone makes him the next target. So everyone waits, each knowing the others reason identically, and that shared expectation of inaction is what makes the seizure safe. **Warlordism is a coordination failure among the men who might have punished it, not a moral failure.**

The anchor. Give every holding a common source and the arithmetic inverts. Letting a seizure stand establishes that holdings may be taken, which is a fact about *his* holding too; intervention becomes self-defence at one remove; and he can predict the others are computing the same thing, so acting does not expose him. He joins a coalition that forms whether or not he leads it.

The mechanism runs on expectations rather than on wills. **A man abstains not because he believes but because he can count.**

From which the condition that organises everything: **a party competing for the spoils cannot be the author of who gets them**, because a title granted by a competitor is not a title but a forecast about that competitor's health. So the source must be **unforgeable by the current claimants**.

And the danger is not principally the man who breaks the rule. Breaking is legible, the coalition is trained to punish it, and the punishment is foreseeable enough to deter. The danger is the man who **changes** it, or who controls who fills it — because neither of those triggers the coalition at all. The bystander mechanism is keyed to violations of the ground and has nothing whatever to say about a lawful alteration of the ground. That distinction does more work in this study than any other.

A working anchor also needs to be **determinate**, **common knowledge** — everyone knows it, knows the others know it — and **attached to an office rather than a man**.

The interpreter, and his two jobs. An anchor does not read itself. Somebody says what it requires, and that class exists structurally: specialisation divides knowing as well as labour, so each person must delegate most of what he holds to sources he cannot check.

That class does two separable jobs. **The vertical job is telling the apex no**, which requires that the apex cannot revoke his standing. **The horizontal job is making every holder's title checkable against one source**, which requires only that he be **singular** — not brave, not independent. Capture destroys the first almost immediately and leaves the second untouched.

The measurable variable is **where the credential is issued**: *fused*, where the claimant is his own interpreter; *domestic*, where the ruler appoints, examines, licenses or funds; *foreign*, where the qualification comes from outside every domestic claimant's reach.

And one modifier, which this study exists to test. Credential distance matters *because the audience cannot verify the anchor for itself*. Where the anchor is **publicly verifiable by the people it binds**, the interpreter's independence matters proportionally less, because the audience is the check. A law recited aloud each summer in the language everyone speaks is verifiable; a liturgy in a dead language is not.

The floor. The coercive capacity that makes verdicts land — and not bedrock. An army is a set of armed men each of whom could refuse, so it has the same coordination problem one scale down, with its own anchor: the oath, the standard, the chain of command, the paymaster. What matters is **what its obedience is addressed to** — a man, an office, or a ground. Only a ground-addressed floor constrains the ruler, because a soldier who obeys the ground can be told by the ground to stop obeying the ruler.

Part I — The found ground

What Philadelphia assembled, and the grammar it used.

The framework's origin finding is that the property an anchor needs — *no current claimant made this* — is a fact about history rather than a feature of design, and therefore cannot be conferred. Rulers who tried to manufacture one failed: Diocletian sacralised himself and founded nothing; Henry VIII's Supreme Headship was demoted by his own daughter; Akbar, with an army and a court theologian, could produce only a document in which *other men* attested that his judgement bound them.

So usable material has to come from before the players existed, made for something else. Biology calls the pattern **exaptation**: feathers long predate flight and appear to have served insulation and display — flight did not cause feathers, flight found them.

The American founding looks like the clearest counter-example in the record and is in fact the clearest instance.

It looks like manufacture because it has a date, a room, a list of names and a published draft. But look at what was in the room.

English common law, which nobody invented, whose origin cannot be dated, which had accreted through centuries of judicial decision, and which arrived in the colonies as the ordinary furniture of legal life. **Colonial charters**, some more than a century old. **Practices of representative assembly** that the colonists had been running for generations and understood as inherited rights rather than grants. And a vocabulary of **natural right** which — and this is the decisive point — asserts by its own terms that the entitlements it names were *not made by anybody*, but exist prior to any government and are discovered rather than conferred.

That vocabulary is doing precise structural work. A claim that rights are *natural* is a claim that no current claimant authored them. It is the unforgeability condition, stated as metaphysics.

And the grammar of the founding is the grammar of recovery, throughout. The colonial case against Parliament was not that new rights were being asserted but that ancient ones were being violated — the rights of Englishmen, denied. The Declaration's charges are a list of *departures* from an existing standard. The framework's finding is that every new ground in the record is announced as a recovery, because a mind that must delegate reads cues, and **age passes every vigilance criterion at once while novelty fails all of them.** Hilkiah's scroll was *discovered* in the Temple;

Marx *discovered* a law of history; nationalists *awakened* nations that had always been there.

The Philadelphia delegates were assembling, not minting, and they said so in exactly those terms. The document's own preamble claims to *establish* — but establishes justice, tranquillity, liberty, as things already named and known, and does it in the name of a people rather than of the men signing.

One qualification, because the case does not support the strong claim. A great deal *was* invented at Philadelphia: the particular federal structure, the separation of powers in that arrangement, the amendment procedure, the electoral mechanism. The framework's amended position is precisely that assembly can be deliberate — provided it is presented as recovery, and provided **the assembler is not the beneficiary** of the distribution it authorises. The delegates were assembling a framework under which they would themselves hold office, which is a real strain on the second proviso, and Part IV returns to it.

Part II — Sole authorship, and a second author resolved by force

The lethal event, and the eighty years it took to settle.

The framework's most operational proposition is that a settlement holds only where the anchor is the **sole author** of the holders' titles, and that the ordinary lethal event is the appearance of a **second author** — a party other than the anchor who can grant holdings that outlast the grant.

The mechanism is not disloyalty. A magnate whose standing comes from a patron rather than from the anchor has only a *conditional* interest in the anchor's integrity: if his patron moves against the settlement, his rational course is to follow, because his title travels with his patron. He is not defecting from the bystander coalition; **he was never fully inside it.**

The American order was founded with two authors and took eighty years to resolve it.

The states preceded the federal government, ratified it into existence, and retained on any reading a substantial residue of sovereign authority. Property titles, corporate charters, marriage, inheritance, criminal law and the definition of who counted as a person were state matters. The Constitution asserted its own supremacy and the supremacy of federal law made under it — but the question of *who decided* when the two conflicted was left open, and it was open in the most dangerous possible way: **each candidate author claimed the power to determine the boundary.**

The doctrines that followed are the second-author problem in legal dress. Nullification — the claim that a state could decline to enforce a federal act it judged unconstitutional — is precisely a claim to a second authorship. So is secession. And the framework's prediction for an order with two authors is that it does not resolve by argument, because argument requires an arbiter and the identity of the arbiter is what is in dispute.

It resolved by force between 1861 and 1865, and was then re-authored by amendment: **citizenship itself was moved to the federal source**, and the states were forbidden to abridge privileges, deny due process or deny equal protection. That is the sole-authorship condition being installed after the fact, in constitutional text, following a war that killed something on the order of two per cent of the population.

And a fossil of the old arrangement is still on the books, in an oath. Officers of the National Guard swear a single oath naming **both** the Constitution of the United States and the constitution of their state, and pledging obedience to both the President and the governor. No other federal oath has that dual-sovereignty structure. It is the second-author problem, preserved in the address of a floor, in current law.

Part III — A credential the apex appoints

Why the American interpreter should not have been able to constrain anybody.

Now the case's central difficulty.

The framework's variable is who can revoke the qualification that makes an interpreter's reading authoritative. Score the American arrangement honestly and it is **domestic in every particular**:

The apex appoints. Every justice is nominated by the President.

The legislature confirms. No one sits without the Senate.

The legislature sets the size of the bench. The number of justices is fixed by ordinary statute, not by the Constitution, and Part VIII shows how freely that was used.

The legislature controls much of the jurisdiction. The appellate jurisdiction of the Supreme Court is subject to such exceptions and regulations as Congress makes.

And the whole lower federal judiciary exists by statute. Congress created it and could restructure it.

The insulation is real but narrow: tenure during good behaviour, and a prohibition on reducing judges' compensation while in office. Those protect the individual and not the institution.

Compare what a **foreign** credential looks like. The head of the Ethiopian church was appointed from Alexandria and sent from Egypt for something close to sixteen centuries — not appointable, not removable, not fundable by any Ethiopian emperor. The medieval papacy held an income and an institutional base no single monarch controlled, which is why an emperor once waited outside a castle in winter for absolution, and why **national churches do not produce that scene.**

By the framework's scoring the American interpreter has no such position, and the prediction for the domestic position is specific. It is not silence. It is **heroic individual refusals and no institutional capacity to compel** — remonstrating officials who object magnificently and change nothing, of the kind imperial China produced in quantity.

That prediction is wrong here, and the rest of the study is an attempt to say why.

Part IV — Marbury: manufacture that held

The one case in the archive where a manufactured claim stuck, and the reason.

Start with the fact that the American interpreter's central power is **not in the text.**

Nothing in the Constitution says that courts may void an act of Congress. The power was asserted by the Court itself in 1803, in a decision written by a Chief Justice who had been Secretary of State in the outgoing administration whose appointments were at issue.

By the framework's own test that is **manufacture** — and the hostile-witness test confirms it. The framework asks whether an order's enemies, at the time, attacked the source of title as an **innovation**, on the logic that a rival has every incentive to say *he invented this last year* if he did. Jefferson said exactly that, repeatedly and for the rest of his life, arguing that to make the judiciary the final arbiter of constitutional questions would place the whole system under an oligarchy of men not elected and not removable.

So: a claim not in the text, asserted by an interested party, attacked at the time as usurpation by the sitting President. The framework says such claims fail. **This one has held for two hundred and twenty-three years.** Why?

The framework has one proviso that covers it, and the case satisfies it more exactly than any other instance in the archive.

> *Deliberate assembly can succeed* ***provided it is presented as recovery, and provided the assembler is not the beneficiary of the distribution it authorises.***

Marshall was not the beneficiary, and made sure of it in the decision itself. The applicant would have won; the Court held the applicant was entitled to his commission and that a remedy existed. And then it held that **the statutory provision giving the Court power to issue that remedy was itself unconstitutional** — so the Court could not act, and the applicant went away empty-handed, and the administration was ordered to do nothing.

Read that as a structural manoeuvre and it is extraordinary. **Marshall claimed the authority by declining the power.** He established that the Court could void a statute in the single instance where the statute being voided was the one that gave the Court a weapon, in a case whose practical outcome handed the victory to his opponents. There was nothing for Jefferson to defy, and no gain to Marshall to point at.

And it was framed as recovery, not invention. The argument is that a written constitution is superior law; that a court's whole function is to apply the law to cases; and that when two laws conflict a court must apply the superior one. Nothing new is being claimed — only an inference from what already exists. That is the recovery grammar operating in a courtroom.

Set it beside the failures. **Akbar** could not issue a decree establishing his own authority and had to obtain an attestation in which other men declared his judgement binding — beneficiary, and the failure is legible in the grammar of the document. **Henry VIII** made himself head of the church, which is beneficiary in the most naked form available, and his daughter demoted it. **Khomeini** authored the doctrine of clerical rule and became its Guardian, and at the first transfer his order had to amend its own constitution to qualify a successor.

Marshall authored a doctrine and took nothing under it. The framework's proviso, which was derived from nineteenth-century nationalism and has always looked like a convenient save, turns out to have a case where it operates with laboratory precision.

Part V — A ground anyone can read

The modifier tested, and where it stops working.

Marbury explains how the American interpreter *acquired* its power. It does not explain how a class the apex appoints has kept it. For that the framework has one modifier, and this case is its most important test.

The modifier says: credential distance matters **because the audience cannot verify the anchor for itself.** That is the whole premise — people delegate knowing because they cannot check, so they check the source instead. Where an anchor is publicly verifiable by the people it binds, the interpreter's independence matters proportionally less, **because the audience is the check.**

The project has three prior instances. The medieval **Icelandic** Commonwealth chose its lawspeaker by the assembly of the very chieftains he was to bind — close to the fused position — and ran three centuries without any executive, because the anchor was the law itself, recited from memory in public, a third each year, in the language everyone spoke. **Venice** ran an anchor that was a randomised electoral procedure performed in public with drawn lots, needed no learned class to interpret it, and has one of the longest runs in the archive with the least powerful interpretive stratum. And the **Kikuyu** of the central highlands ran a five-century order in which the senior elders were simultaneously the parties to the disputes they judged, and everything relevant — age-set, seniority, lineage boundary — was checkable by everyone.

The American anchor is of that kind, and the fact is easy to walk past because it is so familiar.

The Constitution is roughly four and a half thousand words. It is in the vernacular. It has been printed continuously since 1787, distributed free by the million, taught in schools, and carried in pockets. There is no priestly language, no restricted transmission, no requirement of decades of training to read the text. An ordinary citizen can check, personally and without an intermediary, whether the document says what someone claims it says.

That is why an appointed interpreter has been able to constrain an appointing apex. Not because the justices were braver than Ottoman jurists or Chinese censors, but because they were reading from a text the audience had also read — so a ruling manifestly at odds with the text would be visible to the audience as such, and a defiance

manifestly at odds with the text would be equally visible. The check is distributed rather than institutional.

And this is where the vulnerability lives.

The *anchor* is public. The *interpretation* is not. Four and a half thousand words of text sit beneath several hundred volumes of reports containing doctrine — tiers of scrutiny, standing, justiciability, tests with names, canons of construction — which no ordinary citizen can read, and which decide outcomes far more often than the text does.

The framework's modifier therefore generates a prediction sharper than anything else in this study:

> ***The American interpreter's independence rests on public verifiability, so it should weaken exactly to the extent that constitutional outcomes stop being traceable to the public text and start being traceable to specialist doctrine.***

As doctrine thickens, the audience's ability to check declines, and the arrangement drifts from the Icelandic position toward the ordinary one — an esoteric anchor, a specialist class, and a credential the apex issues. That is the position the framework says produces no restraint.

Which supplies a reading of a phenomenon usually described in political terms. Sustained public argument about whether the Court is "political" is, on this account, **the verification check operating** — an audience that has read the text noticing a gap between the text and the outcomes, which is precisely the mechanism the modifier says the arrangement runs on. It is not a symptom of the system failing. It is the system's only enforcement mechanism, working. What would indicate failure is not the argument but its absence: an audience that had stopped checking because it had concluded the text was not what decided anything.

Part VI — Powerlessness is the qualification

Hamilton's sentence, and four cases that show why it is a specification rather than a lament.

Alexander Hamilton, arguing for ratification in 1788, described the judiciary as the least dangerous branch on the ground that it had influence over neither the sword nor the purse, could take no active resolution, and possessed **neither force nor will, but merely judgment**.

That is normally read as reassurance to sceptics. **The framework reads it as an accurate specification of the load-bearing property**, and the project has an unusually direct case for it.

By the middle of the eleventh century the Abbasid caliph in Baghdad had no army, no treasury worth the name, and no capacity to compel anyone. Turkish sultans who had conquered Persia and Iraq by force nonetheless sought investiture from him, and kept the office alive for centuries — because the investiture is what made a Turkish chieftain's distribution of land among his emirs something other than one warlord's personal favour to another. The emir held from the sultan, the sultan from the caliph, and the caliph from nobody in the contest, so **the chain terminated where no competitor could seize it.**

And the corollary the project has paid for: **the caliphate was destroyed within seventeen years of the single occasion on which it raised an army of its own.** A source of title that acquires a floor becomes a competitor, and a competitor's word is worth his army.

Powerlessness is not the interpreter's weakness. It is the qualification.

Which answers the first thought experiment before the evidence is even in, and Part IX works it out. But the American record also supplies the positive demonstration, and it is worth taking in four steps because the popular version of the first one is wrong.

The defiance that is misquoted

The standard illustration of judicial powerlessness is a remark attributed to Andrew Jackson after the Court held in 1832 that Georgia's laws had no force in Cherokee territory: *John Marshall has made his decision; now let him enforce it.*

He did not say it. The line first appears twenty years after Jackson's death, in Horace Greeley's 1865 history. What Jackson actually wrote, to John Coffee, was that the decision had fallen still-born and that they could not coerce Georgia to yield to its mandate — a description of the Court's position rather than a boast about his own.

And the outcome is more complicated than the myth. Georgia held the missionaries in prison, and then released them by pardon in 1833. **The substantive ruling was, eventually and grudgingly, obeyed.**

The episode belongs in this study for a different reason than the one it is usually cited for. It shows the Court's verdict falling still-born **when the apex declined to carry it**, which is the framework's point about anchors exactly: an anchor without a floor produces verdicts that fall still-born, and this one did, until a floor was willing.

The floor supplied

The contrasting case is 1957, when a state governor used the National Guard to prevent the enforcement of a federal court order, and the President **federalised that same Guard** and sent regular troops to enforce it. And the following year the Court issued a decision to which all nine justices signed their individual names — an unusual step, done to make the unanimity unmistakable — holding that its interpretation of the Constitution was the supreme law of the land and binding on the states.

Read structurally, that is **the horizontal function being defended by the apex against a subordinate claimant** — which is exactly what the framework says a functioning settlement does, because a president who allows a state to disregard federal judgments has allowed a second author of title to reappear, and every holder of a federally-derived title has an interest in that not happening.

The succession test

And the most impressive datum in the American record is one that is rarely described as impressive.

In 2000 a presidential succession was disputed. It was resolved, five to four, by nine unelected people with no soldiers, in a decision widely criticised at the time and since. **The losing candidate conceded the following day and instructed his supporters to accept the result, and the transfer occurred on schedule.**

Set that beside the corpus. Contested successions are the event this project has identified as the ordinary killer of orders: the Türk khaganate split permanently at its first, because there was no interpreter outside the contest to say which claimant was right; the Iranian order has managed two, both under emergency conditions, one

requiring a constitutional amendment and the other requiring the armed forces' pressure.

A nuclear-armed state settled a disputed succession by the ruling of an unarmed bench, and the loser complied within twenty-four hours. That is the horizontal function performing at a level the framework's other cases do not reach, and it is the strongest evidence available that the American anchor was, at that date, doing what an anchor is for.

Part VII — What the floor is addressed to

An oath with a deliberate asymmetry, and the test that is never run in ordinary times.

The framework's most recent finding is that a floor is not bedrock but a second settlement, and that what matters about it is **what its obedience is addressed to** — a man, an office, or a ground. Only a ground-addressed floor constrains a ruler, because a soldier who obeys the ground can be told by the ground to stop obeying him.

The American arrangement is unusually explicit, and the asymmetry in its oaths is not accidental.

Commissioned officers swear, under the general oath for federal office, to *support and defend the Constitution of the United States against all enemies, foreign and domestic*, to bear true faith and allegiance to the same, to take the obligation freely, and to well and faithfully discharge the duties of the office. **There is no obedience clause. The officer's oath names no person and no chain of command at all.**

Enlisted personnel swear the same opening — support and defend the Constitution — and then add an obedience clause: to obey the orders of the President and of the officers appointed over them, **according to regulations and the Uniform Code of Military Justice.**

Three things follow, and the framework can read each.

The floor is addressed to the ground at the top of the uniformed structure. Whatever else an American officer is bound to, his oath binds him to a document rather than to a man.

Even the enlisted obedience clause is routed through the ground. It is not obedience to the President; it is obedience *according to regulations and the code*, which is to say obedience to lawful orders — with lawfulness determined by the same source the oath opens with.

And the National Guard officer's oath preserves the old dual authorship, naming both constitutions and both executives, which Part II identified as a fossil of the pre-1865 arrangement.

But the framework insists on a caution here that should be stated plainly. An oath is a documentary proxy, not a measurement. What a floor's obedience is *actually* addressed to is only established when the apex orders something the ground forbids — and that test is not run in ordinary times, because rulers who suspect the answer avoid asking the question. The framework's own scoring rule is behavioural: *if the soldiers*

hesitate, seek authorisation, or split, the address is the ground; if they simply comply, it is the man or the office.

On that rule the American floor is **unscored**, and this study will not pretend otherwise. What can be said is narrower and still useful: the arrangement has been *designed* for a ground address, at the level of the officer corps, in statute, and reinforced by a long-standing statutory restriction on the use of the regular army for domestic law enforcement except where Congress has expressly authorised it. Design is not outcome. It is, however, the thing this project scores from the paperwork, because the paperwork survives.

Part VIII — The catchment edit

Six changes in eighty years, one failure in 1937, and a hundred and fifty-seven years of silence.

Now the study's central structural finding, and it identifies the cheapest available attack on the American anchor — an attack that requires nobody to break anything.

The framework's danger is not the ruler who violates the ground but the one who **changes the rule about who fills the office**. This project has a name for the move and a dated instance. In 1758 the Qianlong emperor, facing a Mongol religious office whose holder could also be a direct descendant of Chinggis Khan — and therefore a possible focus of both religious and dynastic legitimacy at once — decreed that all future incarnations of that office must be found among the population of **Tibet**. He touched no doctrine, closed no monastery, and reduced the office's authority not at all. **He changed one administrative parameter: the catchment from which the holder may be drawn.** Every holder for the next six generations was Tibetan. It cost a sentence.

From which the finding: **a credential filled by procedure is unforgeable at the level of the individual and capturable at the level of the rule.** Nobody can arrange to be a reincarnation, or a justice. But the *rule* about eligibility has an author, and whoever controls the paperwork controls the eligibility.

The number of justices on the Supreme Court is set by ordinary statute. And the American record on that statute is not a story of restraint.

1789 — six justices, by the first Judiciary Act.

1801 — a lame-duck Congress reduced the Court to five upon the next vacancy, to deny the incoming president an appointment. Repealed in 1802 before it took effect.

1807 — increased to seven, giving that same president an appointment.

1837 — increased to nine, on the outgoing president's last day in office, giving him two. The new circuits were drawn such that a majority of them covered slaveholding territory, and therefore that a majority of justices would be friendly to slavery — and the justices thereby added supported the opinion in the case that held Black Americans could not be citizens.

1863 — increased to ten during the Civil War, helping to secure a pro-Union majority.

1866 — reduced to seven by attrition, expressly to deny the sitting president any appointments.

1869 — restored to nine, once a president Congress trusted had taken office.

Six changes in eighty years, most of them nakedly instrumental, executed by every faction that held the pen. And then:

1937 — a president who had just won a landslide proposed adding a justice for every sitting justice over seventy, up to fifteen, on a rationale about age and workload that nobody believed. **The Senate rejected it seventy to twenty-two, with heavy opposition from the president's own party.**

And then nothing, for a hundred and fifty-seven years.

What the framework reads in 1937

That is the most interesting date in American constitutional history for this project, and the standard accounts under-describe what happened.

The proposal was lawful. It required no amendment, violated no text, and Congress had done the same thing six times before. There was nothing to defy and no rule to break — which, by the framework's account, means **the bystander coalition should not have formed**, because the coalition is keyed to violations of the ground and has nothing to say about lawful alterations of it.

It formed anyway, and it formed *inside the president's own coalition* at the peak of his popularity.

The framework's reading is that what assembled in 1937 was not a defence of the Court and not a defence of the New Deal's opponents. **It was a defence of the non-editability of the rule** — and the argument its members made was the framework's own, in ordinary political language: that if this were done, future presidents would do it whenever they disliked a decision, and the office would become worth whatever the current majority said it was.

That is the bystander mechanism operating on a *procedural* attack, which the framework says is the hard case, and it is the strongest evidence in this study that the American anchor was load-bearing at that date. A coalition formed against a lawful move, on the ground that the move would destroy the source everyone's title ran to.

And the aftermath is the clearest confirmation available: **the number has not been changed since, by any party, through every period of unified control and every era of judicial decisions one side or the other regarded as intolerable.** A statute that was edited six times in eighty years has been untouched for a hundred and fifty-seven — not because it became harder to amend, but because a norm formed around not amending it, which is what an anchor's protection looks like when the text does not supply one.

Which locates the vulnerability precisely. The cheapest attack on the American arrangement does not require defying a court, ignoring a ruling, or breaking any law. It

requires a simple majority in two chambers and a signature, and it is available to whichever coalition holds them. What has prevented it for a century and a half is not law. **It is a bystander coalition that has so far concluded that an editable anchor is worth nothing to anybody.** That coalition is the whole of the protection, and coalitions are contingent.

Part IX — The two thought experiments

Worked, with the framework's answers.

If the Court raised an army

The intuition is that a Court with battalions would finally be able to enforce its judgments, and would therefore be far stronger.

The framework says it would stop being a court, and the mechanism is the same one that killed the Abbasid caliphate.

An interpreter's rulings are worth something *because he is not a party to the contest*. The moment he commands force, his judgments are no longer verdicts about who is rightful; they are the demands of one armed party among others, and every holder of a title he authored can now compute what that title is worth — which is whatever his battalions are worth this year. **A title granted by a competitor is not a title but a forecast about that competitor's health**, and the whole value of a deed derived from a source-with-no-army is that the forecast is not required.

So the sequence would run: the Court acquires force; its rulings become bargaining positions; the other armed parties treat it as a rival rather than as an arbiter; and the country now has two or more claimants and no arbiter at all, which is the definition of the condition an anchor exists to end. The framework does not predict that the Court would be crushed. **It predicts that it would win or lose, which is worse, because either outcome removes the arbiter.**

And there is a subtler cost that the Abbasid case makes visible. **An interpreter with a floor cannot be believed even when he is right**, because his audience can no longer distinguish a ruling from a threat. The powerlessness is not a regrettable limitation on the judicial function. It is the thing that makes the function possible.

If the apex interpreted for himself

The intuition is that this concentrates power, and it does. The framework's specific claim is about what it concentrates power *into*.

An apex who determines the Constitution's meaning himself has collapsed the interpreter into the claimant, producing the configuration this project calls **fused** — the Maya divine lord who held, permanently and by title, the office of Keeper of the

Holy Books; the Hawaiian chief in whose own body the sacred force resided; the Türk khagan who read heaven's favour off his own victories.

Fused orders are not weak. They can be formidable and long-lived: the Maya ran six centuries. **What they cannot do is answer a contested question**, and the reason is arithmetic. If the claimant is his own interpreter, then there are as many sources of title as there are claimants — each able to read the ground as favouring himself, with nothing to arbitrate, because arbitration is exactly the act that requires somebody who is not a party.

So the prediction is not tyranny followed by collapse. It is that **the order looks entirely healthy until its first genuinely contested succession, and then has no mechanism.** The Türk khaganate reached from Manchuria towards the Black Sea within a generation of its founding and split permanently at the first succession with four claimants and no common source to appeal to. The Maya coordinated brilliantly inside each city and never settled anything between them, for six hundred years.

And the second consequence is one the American case makes vivid: **the horizontal function goes with it.** If the meaning of the ground is whatever the current apex says it is, then every title in the country is held at the pleasure of the current apex — which is not ownership but possession with paperwork, and the holders will price it accordingly. Which brings us to who moves.

Part X — The magnates' arithmetic

Why the holders of title are the exposed party, and what their response looks like.

The framework's bystander mechanism is usually illustrated with barons, and the American translation is worth making explicit because it is not intuitive.

Every deed, patent, trademark, corporate charter, bond, share, licence, pension entitlement and enforceable contract in the United States derives its future tense from one source. Not from the goodwill of the current administration, and not from the police — from the proposition that a claim recognised under the Constitution and the laws made under it will still be recognised next year, and after the next election, and after the holder's death.

That is the horizontal function, and it is why the arrangement is worth so much to people who never think about it. It is also why they are the exposed party: **an attack on the ground is an attack on the ground beneath all of them simultaneously**, and unlike a citizen's liberty interests, their exposure is denominated in numbers they already track.

So the framework predicts they would move, and predicts the *form*:

Not protest. Protest is a public act by parties whose standing is political. Title-holders' standing is not political, and public opposition costs them access without securing anything.

Hedging, quietly, in advance. The instruments are ordinary and observable: choice-of-law clauses moved to foreign jurisdictions; arbitration seats moved offshore; holding structures redomiciled; long-dated domestic commitments shortened; assets and residency rights acquired in other jurisdictions; and the premium demanded on long-dated domestic obligations rising relative to comparable foreign ones.

That is the framework's expenditure tell, running on the title-holding class. On the armed side, the tell reads *force never pays for what it does not need* — Timur married a Chinggisid princess and ruled through puppet khans he could have removed in an afternoon, and the payment proves the claim was load-bearing. Here the payment runs the other way: **real money spent on the proposition that domestic title may not hold is a direct read on how much of the anchor the payers think is left.** Nobody buys insurance against a risk they price at zero.

Two honest caveats, because this is the most speculative part of the study.

The instruments listed above also move for tax, regulatory and ordinary commercial reasons, and disentangling those from anchor-risk requires care that this study has not done. What would make the tell usable is a *differential*: hedging that rises specifically around procedural events — a serious court-expansion proposal, a sustained refusal to comply with judgments — rather than around policy changes.

And the direction of causation is unclear in a way that matters. Title-holders hedging may be a *reading* of the anchor's condition, or it may be a *contribution* to its deterioration, since capital that has already left is capital with no interest in defending anything. The framework has no view on which dominates.

Part XI — Predictions

Stated so that they can fail.

P1 — Interpreters who acquire force cease to be interpreters. Any interpretive institution that acquires independent coercive capacity should lose the ability to author title and be destroyed, captured or reduced to a claimant within a generation. *Falsified if* armed interpretive institutions are found to constrain rulers better than unarmed ones.

P2 — Verification substitutes for distance, and its erosion is measurable. The American interpreter's practical independence should track the extent to which outcomes are traceable to the public text; as outcomes become traceable instead to specialist doctrine, deference to the interpreter should decline. *Falsified if* deference tracks the interpreter's institutional insulation rather than the audience's ability to check.

P3 — Attacks on the anchor come through the catchment, not through defiance. Serious moves against the American arrangement should take the form of lawful alterations to the rules about who fills the office — size, jurisdiction, tenure, selection — rather than open refusal to comply with rulings, because the second triggers a coalition and the first historically does not. *Falsified if* the characteristic move is open defiance.

P4 — But procedural attacks can trigger a coalition, and 1937 shows the condition. A bystander coalition should form against a lawful catchment edit *when* the title-holding class perceives that the edit generalises — that is, when the argument "whoever holds the pen next will do the same" becomes salient. *Falsified if* coalitions form against procedural edits regardless of that perception, or fail to form when it is present.

P5 — A fused order fails at contested succession, not at repression. An apex who becomes his own interpreter should produce an order that functions normally, possibly for a long time, and then has no mechanism at the first genuinely contested transfer. *Falsified if* such orders characteristically break down in ordinary governance rather than at succession.

P6 — Title-holders hedge quietly and early. Movement of legal domicile, choice of law, arbitration seat and long-dated commitment should respond to *procedural*

events affecting the anchor at a higher rate than to policy events of comparable economic magnitude. *Falsified if* the two produce comparable responses.

P7 — Floor address is only revealed under test. The American floor's address will remain unscored until an apex orders something the ground forbids; and the framework predicts hesitation, requests for authorisation, and splits at the officer level rather than at the enlisted level, given the oath asymmetry. *Falsified if* an order of that kind produces uniform compliance across ranks, or resistance concentrated among enlisted personnel.

And the account fails as a whole if this is found: an order whose interpreter is appointed, funded and structurally controlled by the apex, and whose anchor is esoteric and unreadable by its population, that nonetheless produces sustained institutional constraint on the apex over centuries. That is the case the framework says cannot exist, and finding one would mean the verification modifier is not what is doing the work in America either.

Part XII — Where this is weak

Eight problems, three of them serious.

The verification modifier is under-specified and I have not scored it. The claim that a short, public, vernacular anchor substitutes for credential distance is plausible, has three prior instances, and has no measurement rule. What counts as verifiable? How much doctrine is too much? Without an answer, the modifier can be invoked wherever the main variable fails, which is exactly the vice this project is supposed to avoid.

The American case may simply be over-determined. Two centuries of continental isolation, unusual wealth, no land border with a peer competitor, and a floor that has never been defeated at home are enormous confounds. An order in that position might sustain almost any arrangement, and attributing its durability to a reading practice is a large inferential step.

Marbury may be the beneficiary case after all. I have argued Marshall took nothing under his own doctrine, and that is true of the case. It is not true of the institution: he was Chief Justice, and the doctrine made his office central. The proviso is satisfied at the level of the immediate distribution and strained at the level of the career, and a critic could reasonably say I have chosen the flattering frame.

The floor's address is unscored, as Part VII concedes. An oath is a documentary proxy chosen because it survives, and this project has repeatedly warned that transmission apparatus is not reception. The American floor has never been asked the question that would settle it.

The magnate tell is currently unevidenced. Part X states a prediction and a mechanism and does not demonstrate that the behaviour occurs, and the confounds named there are severe.

The 1937 reading may be too clean. The bill's defeat had many causes — a botched rollout, a scandal-free Court that then upheld the legislation at issue, the death of the Senate majority leader, ordinary institutional jealousy. Attributing it to a bystander coalition defending non-editability is one reading among several, and the framework's version is not the one most historians would offer first.

And three that reach the foundations.

The first. **This is a study of an order that has not yet had its test.** The corpus's rule is that orders are tested at contested transitions and under stress, and the American

arrangement has had one true constitutional breakdown, resolved by force. Two hundred and thirty-seven years is a long run, and it is one run.

The second. **The framework may be describing a norm rather than a structure.** What has protected the Supreme Court's size since 1869 is not a rule but a settled expectation, and settled expectations are exactly what the framework says anchors are made of — but they are also exactly what a critic would call *nothing*, and the difference between "an anchor holding" and "nobody has tried recently" is not observable from inside.

The third, and worst for this study specifically. **A contemporary case invites the analyst to read current politics into a structural framework, and the framework will always oblige.** Every mechanism described here can be pointed at present controversies by a reader of any persuasion, and the fact that it can be pointed in several directions at once is a warning rather than a defence. The claims here are meant to hold for 1801, 1837, 1866, 1937 and any future date, and if any of them reads as an argument about a current dispute, that is a defect in the writing rather than a finding.

Part XIII — The excluded, and the discipline

Whose titles the anchor authored, and whose it did not.

This project requires every study to name the people who were inside an order's coercive reach and outside its settlement — because that is where the violence concentrates and it is the finding most often missed by an analysis of how the powerful arranged themselves.

The American case demands it more than most, because the horizontal function this study has admired — one source, all titles, an attack on any registering with all — **worked exactly as described, and part of what it authored was property in human beings.**

The enslaved were not outside the settlement in the sense of being ignored by it. They were inside it as its object: their status was a title held by somebody else, derived from the same anchor as every other title, checkable against the same source, and defended by the same coalition. The Constitution counted them for representation while denying them personhood, protected the trade for twenty years, and required their return when they escaped. When a state's law would have freed a man, the federal source overrode it — the horizontal function operating precisely as this study describes, in the direction of enslavement.

And Part VIII's elegant illustration of the catchment edit is the same fact. **The 1837 expansion added two seats via circuits drawn so that a majority of justices would be friendly to slavery, and the justices thereby added supported the opinion holding that Black Americans could not be citizens and had no rights the courts were bound to respect.** That is the framework's cheapest instrument — change the rule about who fills the office — used successfully, and what it produced was Dred Scott. This study has praised the manoeuvre's economy. The economy is real and so is what it bought.

Native nations are the case where the anchor's reach was the injury. The 1832 ruling discussed in Part VI held that Georgia's laws had no force in Cherokee territory — and the removals proceeded, tens of thousands were marched west, and thousands died. This study uses that episode as an illustration of an anchor without a floor producing verdicts that fall still-born. What fell still-born was a nation's protection.

And the excluded by omission: women, denied the vote for a hundred and thirty-three years and denied property and contract rights under the coverture the common law brought with it; Black Americans after emancipation, for whom the equal protection installed in 1868 was not enforced for the better part of a century; Chinese immigrants excluded by statute; the interned.

On the vocabulary. This study has called human beings *title-holders*, a *floor*, a *bystander coalition* and an *audience*, and has described the machinery that authored slavery as a horizontal function performing well. That register is chosen because vagueness about mechanism has protected more atrocity than it has prevented, and because an order is easier to celebrate than to describe. The register makes suffering sound like a variable, and the debt should be paid once in plain words: **the people whose ownership the American anchor authored were people, and the coalition that would have formed to defend a violated title formed, for eighty years, to defend the titles of the men who held them.**

Legibility is not pardon. To explain why an arrangement has been durable is to say something about its engineering and nothing whatever about its justice — and this project's standing finding is that the two are independent, because the machinery that lifts a society above warlordism is the same machinery that, captured, commits atrocity at scale.

Conclusion

What is actually holding it up.

Set the American arrangement beside the rest of this project's archive and the puzzle is sharp. Its interpreter is appointed by the apex, confirmed by the legislature, and sits on a bench whose size is fixed by ordinary statute and whose jurisdiction Congress may adjust. That is the **domestic** position, and the framework's prediction for it is not silence but a specific signature — heroic individuals who object magnificently and change nothing, of the kind imperial China produced by the century.

It has instead produced an interpreter that voided a statute in 1803 on an authority found nowhere in the text, was attacked at the time as usurpation by the sitting President, and has been obeyed ever since; that in 1958 asserted its readings bind the states and had a President federalise a state's own Guard to make it so; and that in 2000 settled a disputed presidential succession by a single vote, with no army, and was complied with the next day by the man it ruled against.

Four things appear to be holding it, and only one of them is law.

The ground was found, not made. Common law nobody invented, charters older than the men in the room, and a vocabulary of natural right whose central claim is that the entitlements it names were not conferred by anybody. That is the unforgeability condition stated as metaphysics, and the founding's grammar throughout is the grammar of recovery — ancient rights violated, not new rights asserted — which is what every successful new ground in the record has had to say about itself.

The one manufactured piece satisfied the proviso. Judicial review was asserted, not received. It held where Akbar's attestation and Henry's headship did not, because **Marshall claimed the authority by declining the power** — establishing that a statute could be voided in the single instance where the statute voided was the one arming his own court, in a case whose practical outcome handed victory to his opponents. The assembler took nothing under the assembly. That proviso has always looked like a convenient save; here it operates with laboratory precision.

The audience can check. Four and a half thousand words, in the vernacular, printed continuously, taught to children, carried in pockets. **That is why an appointed interpreter has constrained an appointing apex** — not because the justices were braver, but because they were reading from a text the audience had also

read, so that a ruling at odds with it and a defiance of it are both visible to everyone. The check is distributed rather than institutional, which is why this arrangement resembles a recited law in an Icelandic assembly more than it resembles any European court.

And nobody has edited the catchment since 1869. Which is the least secure of the four, because it is the one the text does not protect. The number of justices is a statute, and it was altered six times in eighty years by every faction that held the pen — including once, in 1837, in a manoeuvre that guaranteed a pro-slavery majority and produced Dred Scott. What stopped it was 1937: a lawful proposal, breaking no rule, triggering no violation — and a coalition formed against it anyway, inside the proposer's own party, at the height of his popularity, on the argument that **whoever held the pen next would do the same.**

That is the framework's whole thesis in a Senate vote. The coalition was not defending a court. It was defending the proposition that the source of everyone's title is not editable by whoever currently holds a majority — because a source that *is* editable is worth exactly what the current majority says it is worth, which is another way of saying it is worth nothing, and every holder of a deed knows it.

So the answer to both thought experiments is the same, and it is not the intuitive one.

A Court with battalions would not be a stronger court. It would be a claimant, and its rulings would become bargaining positions, and the country would have no arbiter — which is what the Abbasid caliphate discovered when it raised an army and was destroyed within seventeen years of doing so. **Powerlessness is not the interpreter's weakness; it is his qualification.** Hamilton's line about neither force nor will, but merely judgment, is not reassurance. It is a specification.

And an apex who interprets for himself has not concentrated power so much as **removed the arbiter from a country that has one**, producing a configuration that works perfectly well until the first contested succession and then has nothing to say — because if the claimant is his own interpreter there are as many sources of title as there are claimants, which is where this project's subject begins rather than ends.

The people who would notice first would not be the citizenry. They would be the holders of title, whose entire exposure is that a deed is a claim about next year, and whose response would not be protest but arithmetic conducted quietly: choice of law moved, domicile moved, long commitments shortened, options acquired elsewhere. **Nobody buys insurance against a risk they price at zero**, and money spent on the proposition that domestic title may not hold is the most honest available reading of how much of the anchor the payers think is left.

Which is the last thing the framework has to say about a case it was not built for. **An anchor's antiquity is not a reservoir of goodwill. It is the fact that nobody alive watched it being made** — and what an editing of the rule spends is not reverence but that fact, which does not restock, and which is the only thing that has ever made a claim about tomorrow worth more than the strength of whoever is holding it today.

A note on sources and scholarship

Every borrowed idea is explained in the text rather than invoked on authority; this note gives the references and the reservations.

On the framework. Possession and ownership, the anchor and its properties, the bystander mechanism, exaptation and the found-ground finding, the interpreter's two functions, credential distance and the verification modifier, the catchment-edit vulnerability, and the floor as a nested settlement with an address are developed across this project's theoretical papers — principally *What Force Cannot Do*, which consolidates them, together with *The Shape of the Sieve*, *The Distance to the Sword*, *The Guard That Cannot Be Turned* and *The Belief That Cannot Be Manufactured*. The underlying scholarship is James D. Fearon on commitment problems (*International Organization*, 1995), Barry R. Weingast on coordination and shared standards (*American Political Science Review*, 1997), Michael Suk-Young Chwe on ritual and common knowledge (*Rational Ritual*, 2001), and Stephen Jay Gould and Elisabeth Vrba on exaptation (*Paleobiology*, 1982). The horizontal application among armed peers, and the application of Chwe's mechanism to public verifiability of a legal text, are this project's extensions.

On the founding and its materials. The reliance of the American settlement on English common law, colonial charters and existing practices of representative assembly, and the framing of the colonial case as the vindication of the rights of Englishmen rather than the assertion of new ones, follow the standard historiography, including Bernard Bailyn's *The Ideological Origins of the American Revolution* (1967) and Gordon Wood's *The Creation of the American Republic* (1969). The structural reading — that a claim of *natural* right is a claim that no current claimant authored the entitlement — is this project's.

On Hamilton. *The Federalist* No. 78 (1788), for the judiciary as least dangerous, having influence over neither sword nor purse, and possessing neither force nor will but merely judgment. The reading of that description as a load-bearing specification rather than a reassurance is this project's.

On Marbury v. Madison (1803). The holding, the sequence by which the Court found an entitlement and a remedy and then held unconstitutional the statutory provision granting it jurisdiction to issue that remedy, and Jefferson's subsequent and repeated objection that making the judiciary the final constitutional arbiter would

create an oligarchy of the unelected, follow the standard literature. The structural reading — that Marshall satisfied the assembler-not-beneficiary proviso by claiming the authority while declining the power — is this project's.

On Worcester v. Georgia (1832). The holding of 3 March 1832 that Georgia's laws had no force in Cherokee territory; the imprisonment of the missionaries and their pardon and release in 1833; and the status of the line attributed to Jackson — *John Marshall has made his decision; now let him enforce it* — as **apocryphal**, first appearing twenty years after Jackson's death in Horace Greeley's 1865 history, against what Jackson actually wrote to John Coffee about the decision having fallen still-born and Georgia not being coercible, follow Robert V. Remini and Paul Boller's *They Never Said It*. This project's diligence rules require the correction and it is made in the text rather than in a footnote.

On Little Rock and Cooper v. Aaron (1958). The federalisation of the Arkansas National Guard and the deployment of regular troops in 1957, and the 1958 opinion signed individually by all nine justices asserting that the Court's interpretation is the supreme law of the land, follow the standard record.

On Bush v. Gore (2000). The 5–4 decision, its contemporaneous and subsequent criticism, and the losing candidate's concession the following day, follow the standard record. The structural reading — that a contested succession settled by an unarmed bench and complied with within a day is exceptional by this project's comparative standards — is this project's.

On the size of the Supreme Court. Six justices under the Judiciary Act of 1789; the reduction to five by the Judiciary Act of 1801 to deny the incoming administration an appointment, repealed in 1802 before taking effect; seven in 1807; nine in 1837, enacted at the close of the outgoing administration, with the new circuits drawn such that a majority would cover slaveholding territory and the added justices supporting the opinion in *Dred Scott*; ten in 1863; a reduction to seven by attrition in 1866 to deny the sitting president appointments; and nine in 1869 — together with the 1937 proposal to add a justice for each sitting justice over seventy up to fifteen, and its rejection in the Senate by 70 to 22 with substantial opposition from the president's own party — were checked against the standard reference accounts for this study, including the 2021 Presidential Commission report and the National Constitution Center's account. The characterisation of these as **catchment edits** in the framework's sense, and the reading of the 1937 defeat as a bystander coalition forming against a lawful procedural alteration, are this project's.

On the military oaths. The officer oath at 5 U.S.C. § 3331 — support and defend the Constitution against all enemies foreign and domestic, bear true faith and

allegiance to the same, take the obligation freely, and well and faithfully discharge the duties of the office, with **no obedience clause naming any person** — and the enlistment oath at 10 U.S.C. § 502, which adds obedience to the orders of the President and of the officers appointed over the member *according to regulations and the Uniform Code of Military Justice*; together with the National Guard officer oath at 32 U.S.C. § 312 naming both the federal and state constitutions and both the President and the governor, are quoted from the statutes. The framework's caution that an oath is a documentary proxy rather than a measurement of a floor's actual address is stated in Part VII and stands.

On the Abbasid comparison. The caliphate's military powerlessness under the Buyids and Seljuks, its continued use for investiture by rulers who could have destroyed it, and its destruction within seventeen years of raising an army of its own are treated with their own sourcing in this project's other studies.

On what is not attempted. This study makes no claim to original research in American constitutional history or law, which it enters as a visitor and in which it relies on the standard literature. It offers no view on any contested question of constitutional interpretation, on the merits of any decision discussed, or on any current political dispute. Its contribution is analytical: to score one order against a structural framework built from cases that have nothing to do with it; to test the framework's least secure component on the case most likely to break it; and to identify, from the historical record of a single statute, where the cheapest available attack on this particular anchor has always lain.